

Appl. No. 09/361,478
Amd. Dated April 15, 2004
Reply to Office Action of February 12, 2004

REMARKS/ARGUMENTS

Claims 1 and 3-15 are pending in the application. Applicant requests reconsideration of the final rejection of the claims.

Applicant appreciates the Examiner's courtesy in discussing the subject application on the phone on April 12, 2004. In that discussion, Applicant pointed out that the § 102(e) rejection of the claims stated that the parent application, to which priority is claimed, teaches all the features of these claims. Assuming this is correct, the subject application would clearly be entitled to the priority of the parent application, thereby rendering the parent application not prior art under § 102(e) alone or in combination with other references under § 103(a).

In a subsequent telephone conversation on April 14, 2004, the Examiner indicated that after reconsideration of the rejections in the final Office Action, the rejections would be withdrawn and unless other art was found, the case would be passed to issue.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8693.

Respectfully submitted,


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